

3:19-CV-290

HONORABLE FEDERAL DISTRICT CHIEF JUDGE, CHRISTOPHER CONNER

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

HENRY PRATT [DETAINED]

UNITED STATES DISTRICT JUDGE.

FILED
HARRISBURG, PA

Honorable Federal District Chief Judge, Christopher Conner.

FEB 21 2019

Per AAA
Deputy Clerk

JURISDICTION AND VENUE

This Court has subject matter jurisdiction pursuant to 28 U.S.C. Section 2241 (Habeas Corpus), 28 U.S.C. Section 1651 (All Writs Act), 28 U.S.C. Section 1331 (Federal Question), 5 U.S.C. Section 702 (Administrative Procedures Acts), U.S. Constitution, Amendment V (Due Process Clause), and U.S. Constitution, Article 1, Section 9, Clause 3 (Suspension Clause).

STANDARD OF REVIEW

Petitioner requests that this Court would liberally construe this Motion in the light of the Supreme Court's decision. See Haines v. Kerner, 404 U.S. 519, 520, 92 S. Ct. 594, 30 L. Ed. 2d 652 (1972), because Petitioner is a Pro se litigant, this Court may consider facts and make inferences where it is appropriate. See, United States v. Tompkins, (1945).

UNCONSTITUTIONAL COMPLAINT AND ORDER

INMATES AND DETAINES HUMBLY REQUEST THIS HONORABLE COURT TO PUT A **BLOCK**, TO DHS, ICE, DOJ, WARDEN OF YORK COUNTY PRISON AND THE UNITED STATES GOVERNMENT, FROM OPENING INMATES AND DETAINES **LEGAL** MAILS.

During the Senate Judiciary hearing about the President nominee to become Attorney General of the United States (Honorable William P. Barr.), “Senator Ted Cruz Stated the highest Statute is the Bill of Right”. “Honorable William P. Barr was also asked a question about Due Process and his answer was he fined it problematic when the rules of Law is applied to **ONE** and is not applied to ANOTHER. He also stated when the rule of Law is applied to ONE it should be applied to ANOTHER.

This Court is under the Moral Obligation to Adjudicate this Unconstitutional and Illegal Conniving Motive of these Respondents mentioned above from not opening Inmates and Detainees Legal Mails why not being present.. This Court has Jurisdiction to (**Order or to Block**) these Respondents and to put a **STOP** on these Respondents from opening Legal Mails Under the Obligation of Threat and Forcing Inmates and Detainees to sign a piece of paper so the Mails can be open while they're not physically present but rather on television screen giving Inmates and Detainees photocopies and the originals Mails are kept with Respondents. Petitioners and Respondents fall under the Jurisdiction of the United States District Court of the Middle District of Pennsylvania. Venue lies in this Court.

Under this Administration the Department of Justice (DOJ), Homeland Security (DHS), Immigration and Custom Enforcement (ICE) have become a Tyrant and all their decisions are **Tyrannical** with no (Respect for the Rules of Law), and on several occasions have disrespected these Honorable Judges and Honorable Courts of the United States. They should not govern with bigotry. **Texas Democrat Representative AL Green**, on 2/7/19 stated “When we allow bigotry to infect the body politic with impunity at the highest level, other levels will expect impunity for their bigotry. Gov. Northam’s refusal to resign for his bigotry is a symptom”.

Abulashvili v. AG of the United States, 663 F.3d 197, 207 (3d Cir. 2011),

“The Due Process Clause applies to all persons within the United States including aliens. Whether their presence here is lawful, unlawful, temporary or permanent. To establish a due process violation, an alien must show that he or she was denied a full and fair hearing or etc, this includes a neutral and impartial arbiter of the merits of his or her claim and a reasonable opportunity to present evidence on his or her behalf. No person may be deprived of his interests in the absence of a proceeding or etc, in which he may present his case with assurance that the arbiter is not predisposed to find against him”.

In reference to the case above, Inmates and Detainees are deprived of due process and Attorney client privilege. When we are confine the only communication that we have in our defense is Attorney client privilege. We have been deprived of this privilege. Federal rules and Local rules prohibited that Legal Mail should not be open behind anyone. The Court of Law require Legal Mail to be open in the presence of that individual. For the Respondents to think it's ok to rely on the television to open Legal Mails in front of Inmates and Detainees while you're not physically present with the officer behind the screen is a **FRAUD**, and they need to be **Prosecuted**. Legal Mails are Consultations between Attorneys and their Client and if an Attorney is preparing a defense for his client, who should be Attorney's client privilege. And if this Court allows the Government/Respondents to **violate** this privilege, we undermine the true nature of our Criminal Justice System. An Attorney is an Officer of the Court, likewise a Judge, Clerks, and anyone that works in the Court is an officer for the Court. If Attorney's Client privilege is violated the Court privilege is also violated.

Justice Gorsuch, opinion in his ruling April 17, 2018 strongly emphasize” on Vague law, “Justice Gorsuch, Today laws may not be as invidious, but they can invite the exercise of arbitrary power all the same-by leaving the people in the dark about what the law demands and allowing Prosecutors and Courts to make it up”.

When was the last time in the United Stated that we stopped trusting the Court? This was the same remark made by President Trump, stating that a Federal Judge was an Obama Judge, because he was appointed by Obama. He was rebuked by the United States Supreme Court, Honorable Chief Justice. The United States, Chief Justice said there is no Obama Judge, Judges are fair which I strongly agreed with.

When was the last time we stopped trusting the Courts of Law from sending Mails? In common sense the Respondents is saying that Mails coming from the Court should be **Investigated** before delivery. This notion shows a disrespect and is arbitrary to the rules of Law that the Government says we can't trust our Judges, Attorneys and Clerks, that they may put something illegal in our mails before sending it out to York County Prison. Honorable Justice Gorsuch, "**Vague laws invite arbitrary power**". Also vagueness doctrine should not be allowed in any Court of law. This notion of these Respondents is Vague and Frivolous. Honorable Justice Gorsuch, opinion in his ruling April 17, 2018 he state "Madison's Report 319. And, of course, that's exactly what Congress eventually chose to do here. Decades ago, it enacted a law affording Mr. Dimaya lawful permanent residency in this country, extending to him a statutory liberty interest others traditionally have enjoyed to remain in and move about the country free from physical imprisonment and restraint. *See, Dimaya v. Lynch 803 F. 3d 1110, 1111 (CA9 2015), 8 U. S.C. §§1101(20), 1255*".

Justice Gorsuch, opinion in his ruling April 17, 2018. "So many civil laws today impose so many similarly severe sanctions. Why for example, would due process require Congress to speak more clearly when it seeks to deport a lawfully resident alien than when it wishes to subject a citizen to indefinite civil commitment, strip him of a business license essential to his family's living, or confiscate his home? I can think of no good answer".

Conclusion

Justice Gorsuch, opinion in his ruling April 17, 2018 page 3. "Perhaps the most basic of due process's customary protections is the demand of fair notice. See *Connally v. General Constr. Co.* 269 U. S. 385, 391 (1926) also the requirement of fair notice applied to statutes too".

This case presents such consideration. **WE** ask this Honorable Court to **BLOCK** the Department of Justice (DOJ), Homeland Security (DHS), Immigration and Custom Enforcement (ICE), Warden Clair Doll, (York County Prison) and the United States Government (USG) from opening Inmates and Detainees Legal Mails why not being present. All **LEGAL MAILS** should be opened in front of Inmates and Detainees, why present and not on a television screen. This Court **MUST ORDER** these Respondents to give Inmates and Detainees the **ORIGINAL COPIES OF THEIR LEGAL MAILS.**

II. STATEMENT OF LAW

Opening of legal mail without the Inmates being present is an invasion of privacy. State prison regulation permits state prison authorities to open legal mail only in the physical presence of inmates, not in front of a television. State Prisoner had right under First Amendment. Inmates presence beyond a screen at a different location where the inmate would not be able to ensure that prison officials cannot read legal mail, this is a violation of the First and Sixth Amendments of the U.S. Constitution.

With appreciation in advance, we are looking forward to a favorable response.

RESPECTFULLY YOURS,

HENRY PRATT-OTHER PETITIONERS

POUCH-223903-MD-56

3400 CONCORD ROAD

YORK, PA 17402

(18)-POUCH-NOS: 236-778 ✓

(19)-POUCH-NOS: 235473 ✓

(20)-POUCH-NOS: 237372 ✓

(21)-POUCH-NOS: 236929 SAZZAD

(22)-POUCH-NOS: 237371 ✓

(23)-POUCH-NOS: 237401 Federico Vassquez

(24)-POUCH-NOS: 235750 ✓

(25)-POUCH-NOS: 234439 ✓

(26)-POUCH-NOS: 237025 Guadalupe G.

(27)-POUCH-NOS: 237414 ✓

(28)-POUCH-NOS: 232-560 PG

(29)-POUCH-NOS: 236528 ✓

(30)-POUCH-NOS: 223034 ✓

(31)-POUCH-NOS: 237397 ✓

(32)-POUCH-NOS: 236981 ✓

(33)-POUCH-NOS: 236894 ✓

(34)-POUCH-NOS: 236534 JLAM

(1)-POUCH-NOS: 229437 eff

(2)-POUCH-NOS: 237288

(3)POUCH-NOS: 235368 BAYRO-URTI

(4)-POUCH-NOS: 236931 Geiger Amyqa

(5)-POUCH-NOS: 236828 Jonesy

(6)-POUCH-NOS: 236621 Abigail mma

(7)-POUCH-NOS: 235956 Young Pendza

(8)-POUCH-NOS: 237236 Klim Qints

(9)-POUCH-NOS: 232824 Edward Pk

(10)-POUCH-NOS: 235424 Pauline

(11)-POUCH-NOS: 237273 Kevin R

(12)-POUCH-NOS: 236531 Juan Hernandez

(13)-POUCH-NOS: 235666 Dr

(14)-POUCH-NOS: 237436 City Marts

(15)-POUCH-NOS: 235660 Gary Aarig

(16)-POUCH-NOS: 237110

(17)POUCH-NOS: 236529 Juan Pinto

CERTIFICATE OF SERVICE

I Henry Pratt, hereby swear that a true and correct copy of this letter has been served upon the parties indicated below in the manner of U.S. Postal service. 28 U.S.C. § 1746.

(1)-DEPARTMENT OF HOMELAND SECURITY-DOJ-ICE

3400 CONCORD ROAD

YORK, PA 17402

(2)-WARDEN CLAIR DOLL YORK COUNTY PRISON

3400 CONCORD ROAD

YORK, PA 17402

(3)-AMERICAN CIVIL LIBERTIES UNION (ACLU)

EASTERN REGION OFFICE
P.O. BOX 60173
PHILADELPHIA, PA 19102

RESPECTFULLY YOURS,


Henry

HENRY PRATT-ORTHER PETITIONER
3400 CONCORD ROAD
YORK PA, 174042
POUCH-223903-MD-56
JANUARY 12, 2019

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA**

UNCONSTITUTIONAL COMPLAINT AND ORDER

